

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.676 OF 2016**

Sandip Subhash Rakhunde

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Kayval P. Shah for the Applicant

Mr. Ajay Patil, A.P.P for the Respondent-State

***CORAM : REVATI MOHITE DERE, J.
THURSDAY, 28th APRIL, 2016***

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 57 of 2016 registered with the Indapur Police Station, Pune, for the alleged offences punishable under Sections 143, 147, 148, 149, 323, 324, 326 of the Indian Penal Code and under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. Learned Counsel for the applicant states that with regard to the incident of 10th February, 2016, the complainant had not made any allegations as against the applicant. He submitted that presence of the applicant is also not disclosed at the time of the alleged incident.

4. Learned A.P.P does not dispute the fact that there is no specific overt act attributed to the applicant. He also submits that the complainant has also filed an affidavit, which is at page 24 of the application, stating therein that the applicant has been wrongly named in the complaint.

5. Considering the aforesaid, the applicant is granted anticipatory bail, on the following terms and conditions :-

ORDER

- i) In the event of arrest, the applicant be enlarged on bail on furnishing P.R.Bond in the sum of Rs.5,000/- with one or two sureties in the like amount.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.